

REMARKS

Claims 1, 2, 4, 5, 8, 12, 22, 23, 25-28, 30-35 and 38-46 are pending in the application. Claims 3, 6-7, 9-11, 13-21, 24, 29 and 36-37 have been canceled and new claims 38-46 are added.

Claims 1 and 22 have been amended to recite the subject matter of claim 21.

New claim 38 finds support in the combination of claims 1, 24, 36 and 37.

New claims 39-41 find support in claims 2, 4 and 5, respectively.

New claim 42 finds support in claim 8.

New claim 43 finds support in claim 12.

New claim 44 finds support in claims 22, 24, 36 and 37.

New claim 45 finds support in claim 23.

New claim 46 finds support in claim 37.

No new matter has been added by way of the above-amendment.

Issues Under 35 USC 112, Second Paragraph

Claim 5 is rejected under 35 U.S.C. 112, second paragraph, for allegedly being indefinite. Applicants respectfully traverse the rejection.

Specifically, the Examiner objects to the phrase "the organopolysiloxane containing at least 5 mol% of diphenylsiloxane units or at least 10 mol% of methylphenylsiloxane units" in claim 5. In response, Applicants have deleted this phrase from claim 5. As such, withdrawal of the rejection is respectfully requested.

Prior Art Based Issues

The following prior art based rejections are pending:

- (A) Claims 1-2, 4-5, 12, 22-24 and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by JP '837 (JP 59-025837); and
- (B) Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zech (US 5 849 812) in view of JP '837.

Applicants respectfully traverse the rejections.

Of all the claims the claims included in the two rejections, only claims 1 and 22 are in the independent form. Both claims 1 and 22 have been amended to recite the subject matter of claim 21 which is not included in the rejections. As such, the rejections are rendered moot.

It is further noted that the new independent claims 38 and 44 recite the subject matter of claim 37 which is not included in the rejections.

As such, it is respectfully submitted that all claims are in condition for allowance.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, Ph.D., Esq., Reg. No. 43,575 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

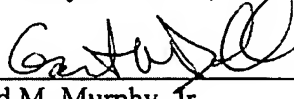
Application No. 10/724,221
Amendment dated April 4, 2008
Reply to Office Action of November 6, 2007

Docket No.: 0171-1044P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: April 4, 2008

Respectfully submitted,

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